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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BY DANIEL JOHN MORGAN,

Petitioner,

v.

SHELIA GEORGE,

Respondent.

) CASE NO.: C08-1587-MJP
)
)
)
) ORDER DISMISSING § 2254
) PETITION
)
)
)
)

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's § 2254 petition (Dkt. No. 1) and this action are DISMISSED as untimely
- (3) The Clerk is directed to send a copy of this Order to petitioner and to Judge Theiler.

DATED this 9 day of February, 2009.

Marsha J. Pechman

MARSHA J. PECHMAN
United States District Judge



08-CV-01587-ORD